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TO: USPTO

FROM: George F. Wheeler, Esq.

DATE: November 22, 2004

FAX NO.: (703) 872-9306

CLIENT: Rockwood

MATTER: 1578-16190US01

Sender: 8190

Number of Pages This Transmission (Including Cover Page): 7

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PTO/SB/88 (11-04)

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POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby revoke all previous powers of attorney given in the application identified in the attached statement under 37 CFR 3.73(b).

I hereby appoint:

☒ Practitioners associated with the Customer Number:

23446

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number	Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Please change the correspondence address for the application identified in the attached statement under 37 CFR 3.73(b) to:

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	George F. Wheeler, Esq.		
Address	McAndrews, Held & Malloy, Ltd., 500 W. Madison St., 34th Fl.		
City	Chicago	State	Illinois Zip 60661
Country	U.S.A.		
Telephone	(312) 775-8000	Fax	(312) 775-8100

Assignee Name and Address:
Rockwood Pigments NA, Inc.
7101 Muirkirk Road
Beltsville, Maryland 20705

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/98 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee.

Signature	<i>Ronald L. Rapaport</i>	Date	Nov 22, 2004
Name	Ronald L. Rapaport	Telephone	(301) 470-3366
Title	Chairman of the Board of Rockwood Pigments NA, Inc.		

This collection of information is required by 37 CFR 1.37, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is provided by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/96 (09-04)

Approved for use through 07/31/2006. OMB 0851-0031

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STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Rockwood Pigments NA, Inc.Application No. ~~XXXX~~ Patent No.: 10/624,810 Filed/Assn Date: July 22, 2003Entitled: METHOD AND APPARATUS FOR PRODUCING MULTI-COLOR CONCRETERockwood Pigments NA, Inc., a Delaware Corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

In the patent application/patent identified above by virtue of either:

A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

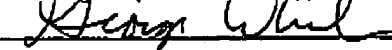
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.



Signature

George F. Wheeler

Reg. No. 28,766 Printed or Typed Name

Attorney for the Assignee

Title

November 22, 2004

Date

(312) 775-8000

Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

FORM OF ASSIGNMENT OF PATENTS AND PATENT APPLICATIONS

This ASSIGNMENT OF PATENT AND PATENT APPLICATIONS (this "Patent Assignment") is made and entered into as of this 9th day of September 2004, between HAMBURGER COLOR COMPANY, INC., a Pennsylvania corporation ("Assignor"), ("Assignor"), whose principal place of business is at 555 East Church Road, King of Prussia, PA 19406, and ROCKWOOD PIGMENTS NA, INC., a Delaware corporation whose principal place of business is at 7101 Muirkirk Road, Beltsville, MD 20705 ("Assignee").

WITNESSETH:

WHEREAS, Assignor desires to sell, assign and transfer the entire right, title and interest in and to all of the patents and patent applications set forth on Schedule A annexed hereto and made a part hereof (the "Assigned Patents"); and

WHEREAS, pursuant to the terms of the Asset Purchase Agreement dated as of September 2, 2004, by and among Assignor, Assignee, Jack Dunnous and Nudam Investments, N.V., Assignor has agreed, among other things, to transfer to Assignee said patents and patent applications.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Assignor, its successors, legal representatives and assigns, hereby sells, assigns and transfers to Assignee, its successors, legal representatives and assigns, the full and exclusive right, title and interest to the Assigned Patents and to the discoveries or inventions disclosed in the Assigned Patents in the United States and its territorial possessions and in all foreign countries and to all Letters Patent or similar legal protection in the United States and its territorial possessions and in any and all foreign countries to be obtained for said inventions by said application or any continuation, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country for the full term or terms for which the same may be granted.

1. Assignor, its successors, legal representatives and assigns, hereby authorizes and requests the Commissioner of Patents and Trademarks of the United States of America and any Official of any country or countries foreign to the United States of America whose duty it is to issue Letters Patent on applications as aforesaid, to issue all such Letters Patent for said discoveries or inventions to the Assignee, its successors, legal representatives and assigns, as assignee of the entire right, title and interest in, to and under the same, for the sole use and benefit of the Assignee, its successors, legal representatives and assigns, in accordance with the terms of this Patent Assignment.

2. Assignor, its successors, legal representatives and assigns, hereby covenants and agrees that the Assignee, its successors, legal representatives or assigns, may, if such protection remains available under applicable law, apply for foreign Letters Patent on said discoveries or inventions and claim the benefits of the International Convention, and that Assignor, its successors, legal representatives and assigns, will upon prior reasonable notice, when called upon to do so by the Assignee, its successors, legal representatives or assigns, communicate to

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09/07/2004 1595086.01

the Assignee, its successors, legal representatives or assigns, as the case may be, any facts known to Assignor, its successors, legal representatives and assigns, respecting said discoveries or inventions, and execute and deliver any and all lawful papers that may be necessary or desirable to perfect the title to the said discoveries or inventions, the said applications and the said Letters Patent in the Assignee, its successors, legal representatives and assigns, and that if reissues of the said Letters Patent or disclaimers relating thereto or divisions, continuations or refilings of the said applications or any thereof, shall hereafter be desired by the Assignee, its successors, legal representatives or assigns, Assignor, its successors, legal representatives and assigns, will, upon prior reasonable notice, when called upon to do so by the Assignee its successors, legal representatives or assigns, sign all lawful papers, make all rightful oaths, execute and deliver all such disclaimers and all divisional, continuation and reissue applications so desired, and do all lawful acts requisite for the application for such reissues and the procuring thereof and for the filing of such disclaimers and such applications, and generally provide reasonable assistance to aid the Assignee, its successors, legal representatives and assigns, to obtain proper patent protection for said inventions or discoveries in all countries, subject to the payment by Assignee or its successors, legal representatives and assigns of all reasonable out-of-pocket costs incurred by Assignor in providing such assistance.

[Signatures are on the next page]

IN WITNESS WHEREOF, the undersigned has executed this Patent Assignment as of the date first above written.

HAMBURGER COLOR COMPANY, INC.

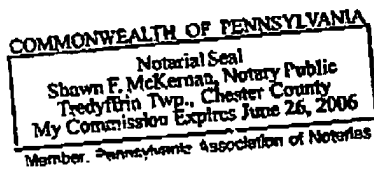
By: Jack Dunnous
Jack Dunnous, President

COMMONWEALTH OF PENNSYLVANIA)

COUNTY OF Philadelphia) ss.:

On the 9th day of September in the year of 2004, before me, the undersigned, personally appeared Jack Dunnous, President of Hamburger Color Company, Inc., personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

Shawn F. McKernan
Notary Public
My Commission Expires: 6/26/06



SCHEDULE A**United States Registered Patents**

<u>Pat. #</u>	<u>Title</u>
1. 5,025,954	"Multi-Components Measuring and Dispensing System", issued June 25, 1991
2. 6,596,072	"Product and Method for Coloring Concrete", issued July 22, 2003
3. 6,695,990	"Product and Method for Coloring Concrete", issued February 24, 2004

United States Patent Applications

U.S. Application Serial No. 10/624,810, Publication No. 2004/0121082 A1, "Method and Apparatus for Producing Multi-Color Concrete", published June 24, 2004

Provisional Application Serial No. 60/420,250, "Method and Apparatus for Producing Multi-Color Concrete"

Provisional Application Serial No. 60/333,635, "Product and Method for Coloring Concrete"

U.S. Application Serial No. 10/394,944, "Product and Method for Coloring Concrete"

U.S. Application Serial No. 10/394,961, "Product and Method for Coloring Concrete"

Canadian Patents

2,040,735 "Multi-Components Measuring and Dispensing System", issued March 28, 1995 (lapsed April 18, 2000)

Canadian Patent Applications

2,445,559 "Method and Apparatus for Producing Multi-Color Concrete", published April 22, 2004